IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.620 OF 2006
IN
EXECUTION APPLICATION (L) NO.292 OF 2006
IN
SUMMARY SUIT NO.1891 OF 2004

Lalit Sanghavi,Prop. of M/s.Milind Exports ..Plaintiff
Versus
M/s.Ravi Frozen Foods Ltd., ..Defendants
And
Dilip K.Kapur @ Kapoor & Anr. ..Respondents

Mr.Kishor Jain with Ms.Sheetal Shah i/by M/s.Mehta & Girdharlal for plaintiff.

Mr.Karl Shroff with Mr.V.S.Amin i/by B.Amin & Co. for respondents.

Mr.S.M.Dadrekar representative of Court Receiver present.

Coram : R.S.Mohite,J

Date : 27.11.2006.

PC

1. This is a Chamber summons taken out by the original plaintiff for appointment of Receiver and disclosure of assets by the defendants and the respondents in respect of properties which are described in the schedule to the Chamber summons. By affidavits dated 12.6.2006 and 13.11.2006, a director of the Company by name Dilip K.Kapur who is also a respondent has made necessary disclosures. The disclosure indicates certain receivables by the defendant/company. Ad-interim receiver has also appointed earlier pending disposal of Chamber summons. Pending the execution application,

Receiver is therefore, continued in respect of properties mentioned in the schedule to the Chamber summons as well as properties of the defendants as disclosed in the affidavits dated 12.6.2006 and 13.11.2006. Vijaya Bank who is not a party to this Chamber summons has taken possession of one of the property being property at item no.5 to the schedule under Securatisation Act. The Court Receiver in his report has enclosed the copy of the letter received by him from Vijaya Bank which indicates that the defendants have agreed to settle the dues and pay balance amount on or before 25.4.2007. There will be liberty to the plaintiff to move in case the debt due to Vijaya Bank is repaid by the defendants. Advocate for the defendants agrees and undertake to disclose to the plaintiff if and when the dues of Vijaya Bank are cleared in full. The said disclosure should be made within 2 weeks from the date of settlement of the dues with Vijaya Bank. In respect of properties which are at item no.4 to the schedule, Court Receiver to proceed to take inventory. Chamber summons stands disposed off.

(R.S.Mohite,J)